

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Municipal Administration & Urban Development Department – Hyderabad Metropolitan Development Authority -The Andhra Pradesh Metropolitan Planning Committee (Constitution and Reservation of Seats) Rules – Orders – Issued.

MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (I,) DEPARTMENT

G.O. Ms. No.49

Dated: 22 January 2009

Read:-

From the Lead Consultant, SPIU, M.A & U.D. Department, Letter No.4097/UBS/07, dated: 05-08-2008.

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ORDER:

The following notification will be published in the Extra-ordinary issue of the Andhra Pradesh Gazette, dated 28-1-2009.

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 17 read with sections 3, 4, 14 and 15 of the Andhra Pradesh Metropolitan Planning Committee Act, 2007 Andhra Pradesh (Act.No.32 of 2007), the Government of Andhra Pradesh hereby make the following rules:-

R U L E S

1. Short title: These rules may be called the Andhra Pradesh Metropolitan Planning Committee (Constitution and Reservation of Seats) Rules, 2008.

2. Definitions: In these rules, unless the context otherwise requires -

- (a) **“Act”** means the Andhra Pradesh Metropolitan Planning Committee Act, 2007;
- (b) **“Committee”** means the Metropolitan Planning Committee constituted by the Government under section 3 of the Act;
- (c) **“Government”** means the Government of Andhra Pradesh;
- (d) **“Reserved Seats”** means such number of the seats, which are reserved for the members of the Scheduled Castes or Scheduled Tribes or Backward Classes or women, as the case may be; as specified in sub-section (2) of section 5 of the Greater Hyderabad Municipal Corporation Act, 1955;
- (e) **“Scheduled Castes” and “Scheduled Tribes”** shall have the meaning respectively assigned to them in clauses (24) and (25) of Article 366 of the Constitution of India;
- (f) **“Secretary”** means the Secretary appointed by the Government to the committee under section 14;
- (g) **“Section”** means the section of the Act;
- (h) **“Unreserved seats”** means such number of seats, which are not reserved for any of the categories mentioned in clause (e) ;

- (i) **“Words”** and **“Expressions”** used but not defined in these rules shall have the same meaning assigned to them in the Act;

3. Specification of a Metropolitan Area: The Government shall specify a Metropolitan Area as defined in clause (c) of section 2 of the Act.

4. Metropolitan Planning Committee for every Metropolitan Area: The Government shall constitute a Metropolitan Planning Committee for every Metropolitan Area as notified in clause (c) of section 2 of the Act.

5. Appointment of Secretary: The Government shall appoint a Secretary of the Metropolitan Planning Committee under section 14.

6. Composition of Metropolitan Planning Committee: The Metropolitan Planning Committee constituted under section 3 of the Act, shall consist of such number of members including a Chairperson and Vice-Chairperson as specified by the Government by notification.

7. Number of members to be elected: (1) Out of the total number of members in each Metropolitan Planning Committee, as specified in rule 6, not less than two thirds of the members of the Committee shall be elected as specified under the proviso to sub-section (1) of section 4 of the Act.

(2) The Secretary shall allocate to the urban constituency such number of members of the Metropolitan Planning Committee as may be determined by him, subject to the condition that the members so allocated shall bear, as nearly as may be, the same proportion of the population of the urban constituency (i.e. Municipal Corporation, Municipalities and Nagar Panchayats) to the total population in the Metropolitan Area.

(3) The remaining number of members to be elected to the Metropolitan Planning Committee shall be allocated to the rural constituency.

NOTE: For the purposes of allocation of seats between the urban and rural constituencies, any fraction of less than one-half shall be ignored and any fraction equal to or more than, one-half shall be counted as one.

8. Reservation of seats of members: (1) In the Metropolitan Area, out of the total number of members to be elected to each Metropolitan Planning Committee, the Government shall reserve separately for the urban and rural constituencies;

- (a) such number of seats to the Scheduled Castes and Scheduled Tribes subject to the condition that the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election to the Metropolitan Planning Committee, as the population of Scheduled Castes, as the case may be the Scheduled Tribes in the Metropolitan Area, bears to the total population of the Metropolitan Area;
- (b) One third of the seats for the members belonging to the backward classes;
- (c) Not less than one-third of the total number of seats reserved under clauses (a) and (b) for women belonging to the Scheduled Castes, Scheduled Tribes or as the case may be, the Backward Classes;
- (d) Not less than one third (including the number of seats reserved for women belonging to the Scheduled Castes, Scheduled Tribes and Backward Classes) of the total number of seats to be filled by direct election to the Metropolitan Planning Committee shall be reserved for women

(2) Persons who are not the members of Scheduled Castes, Scheduled Tribes and Backward Classes shall not be eligible to contest from the seats reserved for Scheduled Castes, Scheduled Tribes and Backward Classes respectively.

(3) Such of the seats which are not reserved for the members of Scheduled Castes, Scheduled Tribes, Backward Classes and Women shall be known as unreserved seats and every voter whose name finds place in the voters list published under sub-rule (2) of rule 4 of the Andhra Pradesh Metropolitan Planning Committee (Election of Members) Rules, 2008 shall be entitled, irrespective of his or her caste or gender, to contest for any of the unreserved seats.

(4) Whenever any changes takes place in the pattern of reservation of seats for the members of Scheduled Castes, Scheduled Tribes, Backward Classes and Women under the Greater Hyderabad Municipal Corporation Act, 1955 such changes shall automatically be followed in the matter of reservation of seats of members of the Metropolitan Planning Committees.

NOTE: For the purposes of reserving seats under these rules any fraction less than one half shall be ignored and any fraction equal to or more than, one half shall be counted as one.

9. Constitution of Metropolitan Planning Committee: The Government shall, on receipt of the results of election of members to the Metropolitan Planning Committee from the Election Officer and as soon as possible: but not later than 15 days from the date of election, constitute the Metropolitan Planning Committee with the following:-

- (1) Chairperson appointed under section 6;
- (2) Vice-Chairperson appointed under section 6;
- (3) Elected Members under the proviso to sub-section (1) of section 4;
- (4) Representatives of the Government of India under sub-section (2) of section 4;
- (5) Representatives of the State Government under sub-section (2) of section 4; and
- (6) Representatives of such organizations and institutions under sub-section (2) of section 4.

10. Constitution of Urban Development Sub-Committees

(1) The Committee may, constitute as many Sub-Committees as it may consider necessary or expedient, consisting only of members of the Committee or wholly of other persons or partly of members of the Committee and partly of other persons, among others, for the following purposes:-

- (a) to consolidate the plans prepared by the Municipalities and Panchayats in the Metropolitan Area and prepare a draft development plan for the Metropolitan Area as a whole;
- (b) preparation of plans for provision of water supply in Metropolitan Area;
- (c) preparation of plans for sewerage and storm water drains in Metropolitan Area;
- (d) preparation of plans for implementation of solid waste management in Metropolitan Area;
- (e) preparation of plans for road networking and development in Metropolitan Area;
- (f) to consider measures for environmental improvement with special emphasis on control of water pollution;
- (g) preparation of plans for traffic and transportation in Metropolitan Area;
- (h) preparation of plans for urban housing in Metropolitan Area;
- (i) preparation of plans for urban poverty alleviation in Metropolitan Area;
- (j) preparation of plans for welfare of Schedule Castes, Schedule Tribes, Backward classes women and children;
- (k) preparation of plans for development of elementary and secondary education in Metropolitan Area;

- (l) preparation of plans for improvement of health and medical facilities in Metropolitan Area;
- (m) preparation of plans for improvement of slum areas in Metropolitan Area;

(2) The Committee may specify the Chairperson and Secretary of the Sub-Committee and its role and responsibilities for completion of the tasks entrusted to it.

(3) The Secretary of the Sub-Committee shall convene meetings in consultation with the Chairperson, maintain records and take follow up action.

(4) The Sub-Committees shall meet as often as necessary and at least once in every two months. No quorum is necessary for such meetings. The Sub-Committees shall devise its own procedure for functioning.

(5) For the purpose of its deliberations, the Sub-Committee may call for any record or data from any municipality or from any panchayat within its jurisdiction.

(6) The Sub-Committee shall devise its own procedure for functioning. It shall have the authority to call for any record or data from any municipality or panchayat within its jurisdiction and for any record or data relating to that Metropolitan Area from any department of the Government for the purpose of the Act.

(7) The Sub-Committee shall forward their recommendations to the Committee for consideration and inclusion of recommendations in Draft Development Plan for the Metropolitan Area.

11. Forwarding of Draft Development Plan:

(1) As soon as may be within one month from the date when the committee adopts the draft development plan for the Metropolitan Area or within such date as the Government may, by order, specify, the Chairperson of the Committee or the Secretary on his behalf, shall forward such development plan to the Government.

(2) The Government may, as soon as possible on receipt of the plan under sub-rule (1) in consultation with the State Planning Board and after giving the committee an opportunity to present its plan, approve the plan with such modification as the Government deems fit.

12. Modification of Draft Development Plan: The Committee may, at any time but not more than once in every 3 years, revise or modify the Draft Development Plan, and in respect of such revised or modified development plan, the provisions of rule 13 shall apply.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. C.V.S.K. SARMA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, Printing, Stationery & Stores Purchase, Hyderabad.
The Chief Secretary to Government.
The Principal Secretary to Government, MA & UD Department.
The Principal Secretary / Secretary to Government, Revenue Department.
The Principal Secretary / Secretary to Government, Industries & Commerce Department,
The Principal Secretary / Secretary to Government, Transport Roads & Buildings Department.
The Principal Secretary / Secretary to Government, Finance, Department.
The Principal Secretary / Secretary to Government, Panchayatraj Department.
The Principal Secretary / Secretary to Government, Home Department.
The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad.

The Metropolitan Planning Committee.
The Metropolitan Commissioner, HMDA, Hyderabad.
The Vice Chairman & Managing Director, A.P. Transco, Hyderabad.
The Vice Chairman & Managing Director, A.P. I.I.C., Hyderabad.
The Vice Chairman & Managing Director, A.P. S.R.T.C., Hyderabad.
The General Manager, South Central Railways, Hyderabad.
The Chief General Manager, BSNL, Hyderabad.
The Vice Chairman, Hyderabad Urban Development Authority, Hyderabad.
The Vice Chairman, Hyderabad Airport Development Authority, Hyderabad.
The Vice Chairman, Cyberabad Development Authority, Hyderabad.
The Vice Chairman, Buddha Poornima Project Authority, Hyderabad.

Copy to:

The Commissioner & Director of Municipal Administration, A.P. Hyderabad.
The Director of Town & Country Planning, Andhra Pradesh, Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad.
All the Departments in Secretariat, Hyderabad.
The Principal Secretary to C.M.,
The Special Secretary to C.M.,
The P.S to M (MA),
The PS to Mayor, GHMC.
SF/SC

//FORWARDED BY ORDER//

SECTION OFFICER